

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON**

**DANIEL AZZOPARDI, and  
SPORTSMAN’S WAREHOUSE, INC.,**

Plaintiffs,

v.

**ELLEN ROSENBLUM**, in her official  
capacity as Attorney General of the State of  
Oregon, and **TERRIE DAVIE**, in her official  
capacity as Superintendent of the Oregon  
State Police,

Defendants.

Case No. 3:22-cv-01869-IM

**ORDER**

**IMMERGUT, District Judge.**

Before this Court is a Motion for a Temporary Restraining Order (“TRO”), ECF 2, brought by Plaintiffs Daniel Azzopardi, an individual gun owner, and Sportsman’s Warehouse, Inc., a federally licensed firearms retailer (collectively, “Plaintiffs”). Plaintiffs ask this Court for an order enjoining Ballot Measure 114 (“Measure 114”), which amends Oregon law to require individuals to obtain a permit before purchasing a firearm and by prohibiting the manufacture,

transfer, sale, possession, and use of large-capacity magazines, defined as magazines that can accept more than ten rounds of ammunition, subject to certain exceptions. Measure 114 §§ 4, 11.

Plaintiffs in this case bring both a facial and as-applied challenge to Measure 114's permit-to-purchase provision, which requires individuals to obtain a permit before they can purchase a firearm. ECF 2 at 2–3. Plaintiffs allege that the permit-to-purchase provision violates the Second Amendment. *Id.* at 7–9.

With respect to Plaintiffs' facial challenge, this Court adopts its reasoning set forth in *Oregon Firearms Federation et al. v. Brown et al.*, 2:22-cv-01815-IM, ECF 39. Accordingly, Plaintiffs' Motion for a TRO is DENIED. Because Defendants have asked this Court to postpone implementation of Measure 114's permit requirement, ECF 13, this Court stays implementation of those requirements for 30 days, consistent with *Oregon Firearms Federation et al. v. Brown et al.*, 2:22-cv-01815-IM, ECF 39 at 4.

Nevertheless, Plaintiffs are entitled to a prompt hearing to determine whether a preliminary injunction should issue based on a more complete evidentiary record. The parties are ordered to confer and propose a briefing schedule to this Court by December 9, 2022.

**IT IS SO ORDERED.**

DATED this 7th day of December, 2022.

/s/ Karin J. Immergut  
Karin J. Immergut  
United States District Judge